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*Kongsgaard GST Exempt Trust U/T/A Dated*  
*October 21, 1993*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

FRANCIS WANG, individually and as  
Trustee of WFT-TNG, a California Trust,  
and LAURA YOUNG, individually and as  
Trustee of WFT-TNG, a California Trust

Plaintiffs,

v.

MARTHA KONGSGAARD, individually  
and as Trustee of The Martha Kongsgaard  
GST Exempt Trust U/T/A dated October 21,  
1993, PETER GOLDMAN, AL CZAP, and  
BRIAN PELETTA,

Defendants.

Case No. 3:19-cv-00907

**JOINT STATUS REPORT**

1 The parties to the above-entitled action jointly submit this JOINT STATUS REPORT,  
2 with separate statements from the Plaintiffs and Defendants, pursuant to this Court's May 15,  
3 2019 order staying the action pending the state court proceedings and the March 11, 2021 order  
4 requesting a joint status report. *See* Dkts. 29, 55.

5 **Plaintiffs' Statement**

6 The parties continue to litigate the state court proceedings in Napa County Superior  
7 Court. *See Kongsgaard v. Wang*, Case No. 19CV000286. The parties presently are briefing a  
8 motion for summary adjudication. The Napa County Superior Court Case was set for trial on  
9 March 22, 2021, but that trial date has been vacated. The next court hearing is scheduled for  
10 March 25, 2021, and will address the summary adjudication motion. A mandatory settlement  
11 conference is scheduled for April 1, 2021. A trial setting conference is scheduled for April 6,  
12 2021.

13 Since the last status report, the newly added Defendants—Peter Goldman, Albert Czap,  
14 and Brian Peletta—accepted and waived service of the amended complaint and waived service of  
15 the summons in this case. The Court ordered, pursuant to the parties' stipulation, that these  
16 Defendants' time to answer or otherwise respond to the amended complaint and time to file any  
17 counterclaim or crossclaim will be calculated beginning on the date the Court lifts the stay. *See*  
18 Dkts. 48, 51, 53.

19 Plaintiffs and Defendants discussed the court's jurisdiction, underlying facts, legal issues,  
20 and other matters required in Joint Case Management Statements pursuant to the Standing Order  
21 for All Judges of the Northern District of California in the Joint Status Report filed as docket  
22 number 31 and therefore do not repeat that information here. Because the case is stayed, the  
23 parties do not view alternative dispute resolution as appropriate at this time.

24 Plaintiffs disagree with Defendants that the conclusion of the matter in state court will  
25 obviate the need to litigate in this court. This action involves separate and distinct claims that  
26  
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1 Defendants deprived Plaintiffs of their civil rights under federal law and will proceed regardless  
2 of the outcome in the state court matter.

3 **Defendants' Statement**

4 The parties continue to litigate the state court proceedings in Napa County Superior  
5 Court. *See Kongsgaard v. Wang*, Case No. 19CV000286.

6 The Napa County Superior Court Case was set for trial on March 22, 2021, and was  
7 continued. A trial setting conference is scheduled for April 6, 2021.

8 The parties anticipate that the matter will conclude in state court and obviate the need  
9 to litigate in this court.

10  
11  
12  
13 Dated: March 18, 2020

By:

14 /s/ Christopher A. Nedeau  
15 Christopher A. Nedeau  
16 *Counsel for Plaintiff*

17  
18 Dated: March 18, 2020

By:

19 /s/ Timothy M. Flaherty  
20 Timothy M. Flaherty  
21 *Counsel for Defendant*

22 I hereby attest that I have obtained concurrence in the filing of this document from all  
23 other signatories.

24 /s/ Christopher A. Nedeau  
25 Christopher A. Nedeau  
26  
27  
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